

JOURNAL OF THE HOUSE.

Thursday, August 24, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Gracious God, we depend upon You and Your assistance in our struggle to propose, evaluate and enact timely and reasonable legislation. In these changing times, with changing challenges, help us to be aware of the many human and spiritual needs of people in our communities. As elected leaders, teach us to have open minds and hearts in listening to the suggestions, concerns and insights of constituents. In our decision-making actions, inspire us to seek and value truth and to act on accurate and sound data.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Messages from the Governor.

Supplemental
Appropriations,
mosquito
spraying.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5145) was filed in the office of the Clerk on Monday, August 21.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Collective
bargaining
appropriations.

A message from His Excellency the Governor submitting requests for making appropriations to fund a collective bargaining agreement between the Board of Higher Education and the American Federation of State, County and Municipal Employees, Council 93, Local 1067 (House, No. 5146) was filed in the office of the Clerk on Wednesday, August 23.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Worcester,
Polish Club.

Resolutions (filed by Mr. Binienda of Worcester) congratulating the Polish Naturalization Independent Club on the occasion of its one hundredth anniversary;

Foxborough,
Lions Club.

Resolutions (filed by Mrs. Coppola of Foxborough) celebrating the seventy-fifth anniversary of the Foxborough Lions Club in the town of Foxborough; and

Dan

Resolutions (filed by Mr. Stanley of Waltham) congratulating Dan Vanderclack on receiving the Eagle Award of the Boy Scouts of America; Vanderclack.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Patrick of Falmouth, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Paper from the Senate.

The House Bill establishing the Cohasset Library Trust, Inc. (House, No. 4840) came from the Senate passed to be engrossed, in concurrence, with amendments in section 5, in line 4, inserting after the word "purposes" the words "but the town shall not appropriate any public funds for the trust,"; and in section 6, in line 4, inserting after the word "purposes" the words "but the trust shall have no role in the governance of the library".

Cohasset
Library
Trust.

Under suspension of Rule 35, on motion of Mr. Patrick of Falmouth, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Virginia M. Coppola and others that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the town of Foxborough. Under suspension of the rules, on motion of Mr. Sciortino of Medford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Bonding, Capital Expenditures and State Assets. Sent to the Senate for concurrence.

Foxborough,
Feeling
Roy, Inc.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue for the Commonwealth and other related matters (House, No. 4814) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2370) of Thomas J. O'Brien and others relative to real estate tax notices,— and recommending that the same be recommitted to the committee on Revenue. Under Rule 42, the report was considered forthwith; and it was accepted.

Real estate
tax notices.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing a sick leave bank for George Mazareas, an employee of the Executive Office of Economic Development (Senate, No. 2700) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

George
Mazareas,
sick leave.

George

Mazareas,
sick leave.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Walrath of Stow, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Sciortino of Medford, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Prosthetic
devices.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing for health care coverage for certain prosthetic devices (House, No. 5256) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Patrick of Falmouth, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act providing health care coverage for certain prosthetic devices.". Sent to the Senate for concurrence.

Franklin Hill
Housing
Development.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relating to the procurement and award of contracts for redeveloping a certain public housing project in the city of Boston (House, No. 5046) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Sciortino of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Patrick of Falmouth, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Bonds,
issuance.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill relative to the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 5237).

Dorothy
Sweeney,
retirement
credit.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill authorizing the State Board of Retirement to grant creditable service to Dorothy Sweeney (House, No. 5261).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Lexington,

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to town meeting votes in the town of Lexington (House, No. 5137) [Local Approval Received].

town
meetings.

By the same member, for the same committee, on a petition, a Bill authorizing a non-binding question to be included on the ballot for the 2006 biennial election in the towns of Ayer, Harvard and Shirley (House, No. 5144, changed by striking out sections 2 and 3 and inserting in place thereof the following section:

Devens
Regional
Enterprise
Zone.

"SECTION 2. This act shall take effect upon its passage.").

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill relative to the appointment of police officers in the town of Boxford (House, No. 5048) [Local Approval Received].

Boxford,
police
officers.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Jan O. Modzeleski, Sr., an employee of the Department of Correction (see Senate, No. 2640, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Jan O.
Modzeleski,
Sr.,
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 10 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Frances M. Ravish, an employee of the Trial Court of the Commonwealth (see House, No. 5071) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill authorizing written majority authorization cards as evidence of collective bargaining results (see House, No. 429) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed bills

Relative to the charter of the town of Walpole (see Senate, No. 2581); and

Bills
enacted.

Bills

enacted.

Designating the garter snake as the official reptile of the Commonwealth (see Senate bill printed as House, No. 3453);

(Which severally originated in the Senate);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The House Bill revising the South Grafton Water District boundaries (House, No. 5066), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-six minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at seventeen minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Emergency Measure.

George
Mazareas,
sick leave.

The engrossed Bill establishing a sick leave bank for George Mazareas, an employee of the Executive Office of Economic Development (see Senate, No. 2700), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill establishing the Cohasset Library Trust, Inc. (see House, No. 4840, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At fourteen minutes after two o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at eleven minutes after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

Economic
development.

The House Bill relative to the economic development of the Commonwealth (House, No. 5253) came from the Senate with the endorsement that said branch had concurred with the House in its further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5259) with a still further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2712.

Under suspension of Rule 35, on motion of Mr. Bosley of North Adams, the still further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

The same member then moved that the House concur with the Senate in its still further amendment with a still further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5277.

The still further amendment was adopted. The House then concurred with the Senate in its still further amendment, as amended. Sent to the Senate for concurrence in the still further amendment.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty minutes after five o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.